

BAKER BOTTS, L.L.P.
30 Rockefeller Plaza
New York, NY 10112
(212) 705-5000

Handwritten initials

UNITED STATES PATENT & TRADEMARK OFFICE
FACSIMILE COVER SHEET

Date: August 14, 2001

Attention: **Examiner Latrice Bond**
Fax No.: **703-308-6916**

No. Of Pages: 17 (including cover sheet)

Time Sent: 4:15 PM

FACSIMILE: (212) 705-5020 (AUTOMATIC-24 hours)

FOR ASSISTANCE: (212) 705-5000

FAX RECEIVED

AUG 14 2001

PETITIONS OFFICE

MESSAGE :

Dear Examiner Bond:

As requested, attached by facsimile are the following documents: (1) Supplemental Combined Declaration and Power of Attorney document providing the place of residence of the inventor who refuses to join this application; (2) Exhibits 1, 2 and 3 referenced in the Declaration of Facts signed March 30, 2001 by Kwang-Suk Han, (3) copies of the original foreign language versions of Exhibits 1, 2 and 3; and (4) other supporting documents evidencing communication with the inventor who refuses to join this application. Favorable consideration of applicants' Petition Under 37 C.F.R. § 1.47 filed May 30, 2001 is earnestly solicited.

Respectfully submitted,

Handwritten signature of Anthony Giaccio
Anthony Giaccio

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following two papers for Registration or Serial No. 09/692,065 are being facsimile transmitted to the Patent and Trademark Office on the date indicated below.

Anthony Giaccio (Pat. Reg. No. 39,684)

August 14, 2001

Date

Handwritten signature of Anthony Giaccio
Signature

(TO BE COMPLETED IN DUPLICATE)

Client Number: 067515

File Number:

A33631

Billing Code:

067515.0107

BAKER BOTTS L.L.P.
FILE NO.: A33631**COMBINED DECLARATION
AND POWER OF ATTORNEY****FAX RECEIVED****AUG 14 2001****(Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)****PETITIONS OFFICE**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR PROCESSING SYNCHRONOUS MESSAGE IN
ASYNCHRONOUS MOBILE COMMUNICATION SYSTEM**

This declaration is of the following type:

- ☒ original
- ☐ design
- ☐ national stage of PCT.
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (C-I-P)

the specification of which: (*complete (a), (b), or (c)*)

- (a) ☐ is attached hereto.
- (b) ☒ was filed on October 19, 2000 as Application Serial No. 09/692,065 and was amended on (*if applicable*).
- (c) ☐ was described and claimed in PCT International Application No. filed on and was amended on (*if applicable*).

Acknowledgment of Review of Papers and Duty of Candor

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56.

☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.98.

Priority Claim

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

(*complete (d) or (e)*)

- (d) ☐ no such applications have been filed.
- (e) ☒ such applications have been filed as follows:

14 AUG 2001 16:20

DHL COURIER

From: Mr. Han
To: Ms. Hwang
Date: October 20, 2000

Dear Ms. Hwang,

How was your business trip?

I am writing you to confirm whether you have received the DHL courier and you have signed the documents as an inventor.

First of all, we would like to know if the DHL courier was rightly delivered to you although we confirmed that the DHL courier for five (5) cases was received by any other person in your office.

What we sent to you the DHL courier including the documents for five (5) cases is not one-sided determination of Patent Department of HEI, but your indication that you are not willing to sign the documents in condition that you cannot recognize which cases are. Here, we would like to let you know the importance of "SIGN". To sign the Assignment and Declaration/Power of Attorney means that the signer himself invented the invention and has a place as an inventor for the relevant invention. Accordingly, we sent to you the documents to be signed based on such an importance.

Further, we would like to ask you to let us have your final comments or confirmation on our request for the sign, which does not ask you on whether you intend to cooperate with the HEI's matter, but on whether you wish to sign the documents to be filed in U. S. A.

Please let us have your prompt reply to this matter. If you wish to sign them, this will be final letter to you.

With best regards,

EXHIBIT 2

From: Mr. Han
To: Ms. Hwang
Date: November 29, 2000

Dear Ms. Hwang:

Since there has been no response to our previous e-mail, we are writing you e-mail again

We now have much difficulty in handling the U. S. patent applications concerned to you because we are still awaiting your definite response to our request. Of course, you have answered "No" through several e-mails, but in my position, it is difficult to draw a conclusion that you do not definitely wish to sign such documents, just based on those e-mails to date. Also, we are now in a difficult position to proceed with next step on the U. S. application because of such an unsettled matter

Therefore, if you have a spark of idea to help me, please let me have your valid reply to the outstanding matter. If your final confirmation on this matter is received, any further trouble may not be caused to you.

Looking forward to hearing from you soon,

From: Ms. Hwang
To: Mr. Han
Date: November 29, 2000

Dear Mr. Han:

Thank you for your e-mail.

I have thought that I gave you valid response, but it has been not!!
I do have no intention of signing the documents for the U. S. applications at all.
I am sorry that I cannot assist you in this matter.

With best regards,

EXHIBIT 3

그럼 안녕히 계십시오.

이정숙

보낸 사람: <Woonhee.Hwang@nokia.com>
 받는 사람: <kshan@hei.co.kr>
 보낸 날짜: 2000년 10월 9일 월요일 오후 11:10
 제목: RE: materials for US Patent Application

안녕하십니까 ?

다음주에 계속 출장이라서 그 DHL 받을 수 있을지 모르겠습니다.

그리고 권리가 이미 회사거라고 말씀하셨죠 ?

그럼 그쪽에서 알아서 처리하셨으면 좋겠습니다.

저한테 지금 그쪽 부서에서 결정한 사항에 대해 홍보하시는 겁니까 ?

저보고 근무시간에 우체국에 찾아가서 DHL을 발송하라는 말씀이십니까 ?

왜 제가 지금 그런 일을 해야하죠 ? 단순히 한대리와 관계를 생각해서입니까 ?

저번에도 말씀드렸지만, 한대리와 개인적인 일이라면 얼마든지 도와줄

용의가 있습니다만, 현대전자에 대한 일이라면 전 제 시간을 할애해야 할 이유를 찾을 수가 없습니다.

참고로 말하자면, 이 건물에는 우체국이 없습니다.

그럼 안녕히 계십시오.

Woonhee Hwang
 Nokia Networks Oy, IP Mobility Networks
 P.O. Box 301, FIN-00045 NOKIA GROUP, Finland
 Office: Linnoitustie 6, FIN-02600 Espoo, Finland
 Phone: +358 9 511 30149 Fax: +358 9 511 30163
 Mail: woonhee.hwang@nokia.com

-----Original Message-----

From: kshan@hei.co.kr [mailto:kshan@hei.co.kr]
 Sent: 09 October, 2000 11:58
 To: ???
 Subject: materials for US Patent Application

황운희 과장님

지난번 메일에 대한 답변을 주시지 않아 이렇게 다시 메일을 보냅니다.

일단 특허팀에서는 황운희 과장님께 미국 출원을 위한 관련서류를 DHL로 발송하기로 하였습니다. 이번에는 황운희 과장님이 어떤 서류에 서명을 해야 할지 잘 분명히 알 수 있도록 미국출원을 위한 각각의 명세서와 도면 그리고 서명서류를 보내도록 하겠습니다. 서명을 부탁드리는 건은 모두 5건의 미국출원으로 5건을 각각 DHL로 발송하도록 하겠습니다. 받으신 후 서명을 부탁드리며 메일에 대한 답장도 꼭 해주셨으면 합니다

그럼 안녕히 계십시오.

이정숙

보낸 사람: kwangsuk Han <kshan@hei.co.kr>
 받은 사람: 황운희님 <Woonhee.Hwang@nokia.com>
 보낸 날짜: 2000년 10월 20일 금요일 오후 6:16
 제목: ask for confirmation of receiving DHL

안녕하세요

황장을 잘 다녀오셨는지요?

서신을 보내것을 두가지 이유에서입니다

저희가 보내드린 DHL을 잘 받으셨는지와 발명자 서명에 대한 과장님의 의사를 확인하기 위해서입니다.

우선 DHL은 이쪽에서 확인한 결과 Office내의 다른 분이 접수하신 것으로 되어 있는데 5건의 DHL을 받아 보셨는지 확인을 부탁드립니다.

저희가 DHL을 보낸 것은 일방적인 특허부의 결정사항이 아니라 지난번 서신에서 무슨 내용인지도 모르는 데 어떻게 서명을 하냐는 과장님의 지적이 있었기 때문입니다 그리고 다시 말씀드리지만 서명을 하는 이 취향의 하나는 저희가 미국에 출원코자 하는 내용이 황과장님이 발명한 사항이 맞음을, 발명자 본인의 서명으로 선언하는 것이기 때문에(그래야 특허문서에 발명자로 이름이 기재되고 발명자로서의 지위를 가지게 됩니다) 저희로서는 당연히 황과장님께 서명요청과 함께 출원할 내용을 보내드려야 하기 때문입니다

또한 저희의 서명요청에 대한 황과장님의 최종적인 의사를 알려주시기 바랍니다 현대전자에 영무에 영조 형 의사가 있는지가 아니라 현대전자가 미국에 출원하고자 하는 서류에 발명자로서 서명할 의사가 있는지 없는지를 밝혀주시기 바랍니다.

메일 받으시고 꼭 답변 부탁드립니다. 만약 서명을 안하신다면 이것이 제가 보내본 마지막 메일이 될 것 같습니다.

그럼 안녕히 계십시오.

버려, 좋은
현대의 통제
기업, 양심
비밀, 관

<jsyi@shinsung-

대응부기 판례

보낸 사람: Woonhee.Hwang@nckia.com <Woonhee.Hwang@nokia.com>
받은 사람: kshan@hei.co.kr <kshan@hei.co.kr>
날짜: 2000년 11월 29일 수요일 오전 1:23
제목: RE: ?? ?????

>Woonhee Hwang
>Nokia Networks Oy, IP Mobility Networks
>P.O. Box 301, FIN-00045 NOKIA GROUP, Finland
>Office: Linnolitustie 6, FIN-02600 Espoo, Finland
>Phone: +358 9 511 30149 Fax: +358 9 511 30163
>Mail: woonhee.hwang@nokia.com

>안녕하십니까?
>독여원의 한광섭입니다.
>이곳이 벌써 많이 추워졌는데 그곳은 어떤지 궁금하군요.
>
>메일로 보내것은 지난 10월 20일자 메일에 대한 답신이 없어 이렇게 망설이다가
>다시 메일을 보냅니다.
>
>저는 지금 황과장님과 관련된 미국출원건의 발명자 서명문제를 처리하지 못하고
>있습니다. 이유인즉슨 황과장님의 분명한 답변을 기다리고 있기 때문입니다.
>물론 이미 수차례 메일을 통해 서명을 안하겠다고 답변하셨다고 생각할 수도
>있지만 독여출원을 담당하는 제 입장에서 볼때 지금까지 황과장님이 주신 답변은
>만드시 서명을 안하겠다는 것은 아니었다는 생각이 듭니다.

>
> 제3자가 보았을 때 왕과장님의 메일은 꼭 서명을 못하겠다는 표현이 아니라고
> 생각할 수 있지 않을까요? 풀원담당자인 저로서는 신중을 기해 일을 진행하여야
> 하므로 이런 상태에서 다음 단계를 진행하기가 곤란한 상태입니다. 저에 대해
> 조금이라도 도와주실 생각이 있으시다면(설마 없다곤 안하시겠죠?) 왕과장님의
> 명확한 의사표현이 담긴 답변을 부탁드립니다.
>
> 지난번 메일에서 말씀드린 것처럼 분명하게 의사표현을 해주시면 더이상의
> 번거로움을 끼쳐드리지 않아도 될 것 같군요.
>
> 그럼 이만 짧아고 갑장을 기다리겠습니다.
>
>
>
>
>

FAX RECEIVED

AUG 14 2001

PETITIONS OFFICE


Shipment Airwaybill
 (Non Negotiable)

241 0608 616

Quote this shipment number in an enquiry

ORIGIN	DESTINATION
SEL	

1 From (Sender)	
Account no. 590010332	Sender's name

Sender's reference (for twelve characters will be shown on invoice)

Company name SHINSUNG PATENT FIRM

Address 2FL HASECHEON BLDG. 711-40 YEOKSAM-DONG KANGNAM-KU SEOUL, KOREA

City code	Phone/Fax/Telex specify one 02-555-7503
-----------	--------------------------------------------

2 To (Receiver)	
Company name	

Delivery address

City code	Country
-----------	---------

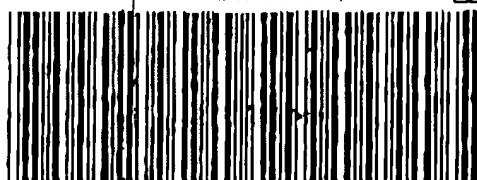
Contact person	Phone/Fax/Telex specify one
----------------	-----------------------------

Sender's authorization and signature	
--------------------------------------	--

We agree that DHL's standard terms apply to this shipment and that DHL's liability is limited by the Warsaw Convention and the Hague Rules (see reverse).

We understand that DHL does not bear any risk or responsibility for loss or damage to the contents of the package.

Signature	Date
-----------	------



3 Shipment details

Not all destinations and service options are available in all countries.

Services

☒ DOCUMENT☐ WORLDWIDE PACKAGE EXPRESS of domestic☐ EXPRESS DOCUMENT☐ DOMESTIC☐ WORLDMAIL

Airmail/Parcel Mail/ specify one

☐ OTHER SERVICE specify

Transport charges

C let alone sender

pay transport charges

☐ Sender☐ Cash/Cheque/Credit Card

For approved customers only

☐ External Billing Agreement☐ Transport Collect

Shipment insurance

☐ YES

Insured value and currency

Full description of contents

Specification, Drawings
Declaration and Power of Attorney
Declaration

International Worldwide Package Express shipments only

Attach the Original and two copies of a Proforma or Commercial Invoice

Declared value for Customs give currency Sender's VAT/CST no.

Harmonized commodity code if applicable Receiver's VAT/CST no. or EIN/SSN

Type of export ☐ PERMANENT ☐ REPAIR/RETURN ☐ TEMPORARY

Destination duties/taxes let alone receiver pay duties/taxes

☐ Receiver☐ Sender

Specify destination and currency

4 Size and weight

No. of pieces Weight

1 0.5 kg

Dimensions cm L x W x H

x x x

VOLUMETRIC/CHARGED WEIGHT

CODES CHARGES

Services

Special

Freight

Other/VAT

CURRENCY CODE TOTAL

TRANSPORT COLLECT STICKER No.

PAYMENT DETAILS

Cheque/Credit no.

Type Expiry

RECEIVED BY UNIOCEAN EXPRESS LTD.

SEOUL, KOREA AS AGENT FOR DHL

Routing No. 41-20-07

Time 15:00

Date 14/8/01

Sender's copy

MP 10/00 C

FAX RECEIVED

AUG 14 2001

PETITIONS OFFICE



Shipment Airwaybill

(Non negotiable)

241 0608 620

Close the shipment number in an envelope

ORIGIN	DESTINATION

1 From (Sender)

Account no. 990025322 Sender's name

Sender's reference (first twelve characters will be shown on invoice)

Company name SHINSUNG PATENT FIRM

Address 3FL HAECHONG BLDG.
701-12 YEOKSAM-DONG YONGNAM-K.
SEOUL, KOREA

Phone/Fax/Telex specify one 02-555-7903

2 To (Receiver)

Receiver's name

Receiver's address

Country

Phone/Fax/Telex specify one

Sender's authorisation and signature

Before this DHL is accepted, please clearly state the shipment and that DHL is hereby authorised to transport such or dangerous goods (see reverse)

Date



3 Shipment details

Not all payment and service options are available in all countries

- Services**
- ☒ DOCUMENT
 - ☐ WORLDWIDE PACKAGE EXPRESS w/ documents
 - ☐ EXPRESS DOCUMENT
 - ☐ DOMESTIC
 - ☐ WORLDMAIL
 - ☐ OTHER SERVICE
- Transport charges**
- ☐ Cash/Cheque/Credit Card
 - ☐ External Billing agreement
 - ☐ Transport Collect
 - ☐ Shipment insurance
 - ☐ YES

Full description of contents
Specification, Drawings, BOX,
Declaration and Power of Attorney
Assignment

International Worldwide Package Express shipments only
Attach the Original and two copies of a Proforma or Commercial Invoice
Declared value for Customs (see reverse) Sender's VAT/GST no.

Harmonized commodity code of goods Receiver's VAT/GST no. or EIN/SSN

Type of export ☐ PERMANENT ☐ REPAIR/RETURN ☐ TEMPORARY

Destination duties/landing ☐ Receiver ☐ Sender ☐ Other

4 Size and weight

No. of pieces Weight

1 0.5 kg

Dimensions (cm) L x W x H

VOLUMETRIC/CHARGED WEIGHT

CODES CHARGES

Services

Special

Insurance

Other/VAT

CURRENCY CODE TOTAL

TRANSPORT COLLECT STICKER No.

PAYMENT DETAILS

Cheque/Card no.

Type Express

RECEIVED BY UN-OCEAN EXPRESS LTD.

SEOUL, KOREA AS AGENT FOR DHL

Route No. 10000

Time 10:00

Date 14 AUG 2001

14 AUG 2001 16:17

14 AUG 2001

14 AUG 2001

FAX RECEIVED

AUG 14 2001

PETITIONS OFFICE



Shipment Airwaybill

(Non negotiable)

2 4 1 0 6 0 8 6 3 1

Quote this shipment number in an enquiry

ORIGIN SEL	DESTINATION
---------------	-------------

From (Sender)	
Account no. 590025322	Sender's name

Sender's reference for multiple shipments will be shown on invoice

Company name SHINJUNG PATENT FIRM

Address 25, HAECHON BLDG. 741-40 YEOKSAM-DONG KANGNAM-KU SEOUL, KOREA

City/State	Phone/Fax/Telex specify one 02-555-7503
------------	--------------------------------------------

To (Receiver)	
Company name	

Delivery address

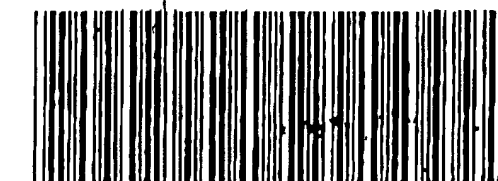
City/State	Country
------------	---------

Contact person	Phone/Fax/Telex specify one
----------------	-----------------------------

Sender's authorisation and signature

We agree that DHL's standard terms apply to this shipment and that DHL is liable for the loss of the goods. We warrant that DHL does not transport cash or dangerous goods (see reverse).

Signature	Date
-----------	------



3 Shipment details

Not all payments and service options are available in all countries

Services	Transport charges
<input checked="" type="checkbox"/> DOCUMENT	<input checked="" type="checkbox"/> Let bank collect
<input type="checkbox"/> WORLDWIDE PACKAGE EXPRESS at destination	<input type="checkbox"/> Bank
<input type="checkbox"/> EXPRESS DOCUMENT	<input type="checkbox"/> Cash/Cheque/Credit Card
<input type="checkbox"/> DOMESTIC	<input type="checkbox"/> For approved customers only
<input type="checkbox"/> WORLDMAR	<input type="checkbox"/> External Billing Agreement
Airmail/Printed Matter specify one	<input type="checkbox"/> Transport Collect
<input type="checkbox"/> OTHER SERVICE specify	Shipment insurance
	<input type="checkbox"/> YES
	Insured value per currency

Full description of contents
Specification, Drawing
Declaration and Letter of Attestation
Assignment

International Worldwide Package Express shipments only
Attach the Original and two copies of a Proforma or Commercial Invoice
Declared value for Customs per currency Sender's VAT/GST no.

Harmonized commodity code / code Receiver's VAT/GST no. or EIN/SSN

Type of export ☐ PERMANENT ☐ REPAIR/RETURN ☐ TEMPORARY

Destination duties/taxes ☐ Let bank recover and duties/taxes
☐ Recover ☐ Sender ☐ Other

4 Size and weight

No. of pieces 1	Weight 0.5 kg
--------------------	------------------

Dimensions cm L x W x H

x	x
---	---

VOLUMETRIC/CHARGED WEIGHT

CODES	CHARGES
	Services

Special

Insurance

Other/VAT

CURRENCY TOTAL

TRANSPORT COLLECT STICKER No.

PAYMENT DETAILS
Cheque/Cash no.

Type Expiry

RECEIVED BY UNIOCEAN EXPRESS LTD.
SEOUL, KOREA AS AGENT FOR DHL

Route No. 40 100 00

Time 15 30

Date 14/8/01

Sender's copy

MP 30/93 C

DHL: Corporate - Package Tracking Results

페이지 1 / 2

-These are the results of your query



Airwaybill Number	Origin Service Area	Destination Service Area	Status
2410808818	Seoul - Korea, Republic of	Helsinki - Finland	Signed for by: RAITANEN Shipment delivered October 13, 2000 12:26 ✓
2410808820	Seoul - Korea, Republic of	Helsinki - Finland	Signed for by: RAITANEN Shipment delivered October 13, 2000 12:25 ✓
2410608631	Seoul - Korea, Republic of	Helsinki - Finland	Signed for by: RAITANEN Shipment delivered October 13, 2000 12:28 ✓

2410608616 - Detailed Report

Date	Time	Location Service Area	Checkpoint Details
October 09, 2000	17:37	Seoul - Korea, Republic of	Shipment picked up
October 11, 2000	02:00	Seoul - Korea, Republic of	Departed from DHL facility in Seoul - Korea, Republic of
October 11, 2000	12:15	Frankfurt - Germany	Transferred through Frankfurt - Germany
October 11, 2000	12:21	Frankfurt - Germany	Shipment on hold
October 12, 2000	04:20	Cologne - Germany	Transferred through Cologne - Germany
October 12, 2000	11:15	Helsinki - Finland	With delivery courier
October 12, 2000	11:40	Helsinki - Finland	Recipient moved
October 13, 2000	11:35	Helsinki - Finland	With delivery courier
October 13, 2000	12:28	Helsinki - Finland	Shipment delivered

2410608620 - Detailed Report

Date	Time	Location Service Area	Checkpoint Details
October 09, 2000	17:37	Seoul - Korea, Republic of	Shipment picked up
October 11, 2000	02:00	Seoul - Korea, Republic of	Departed from DHL facility in Seoul - Korea, Republic of
October 11, 2000	12:15	Frankfurt - Germany	Transferred through Frankfurt - Germany
October 11, 2000	12:21	Frankfurt - Germany	Shipment on hold
October 12, 2000	04:20	Cologne - Germany	Transferred through Cologne - Germany
October 12, 2000	11:15	Helsinki - Finland	With delivery courier
October 12, 2000	11:40	Helsinki - Finland	Recipient moved
October 13, 2000	11:35	Helsinki - Finland	With delivery courier
October 13, 2000	12:25	Helsinki - Finland	Shipment delivered

2410608631 - Detailed Report

Date	Time	Location Service Area	Checkpoint Details
October 09, 2000	17:37	Seoul - Korea, Republic of	Shipment picked up
October 11, 2000	02:00	Seoul - Korea, Republic of	Departed from DHL facility in Seoul - Korea, Republic of
October 11, 2000	12:15	Frankfurt - Germany	Transferred through Frankfurt - Germany
October 11, 2000	12:21	Frankfurt - Germany	Shipment on hold
October 12, 2000	04:20	Cologne - Germany	Transferred through Cologne - Germany
October 12, 2000	11:15	Helsinki - Finland	With delivery courier
October 12, 2000	11:40	Helsinki - Finland	Recipient moved
October 13, 2000	11:35	Helsinki - Finland	With delivery courier
October 13, 2000	12:28	Helsinki - Finland	Shipment delivered

DHL Corporate - Package Tracking Results

페이지 2/2

[Back to the Tracking page](#)

S703 308 6916

*** RX REPORT ***

RECEPTION OK

TX/RX NO	7732
CONNECTION TEL	
CONNECTION ID	
START TIME	08/14(TU)15:21
USAGE TIME	03'42"
PGS.	14
RESULT	OK